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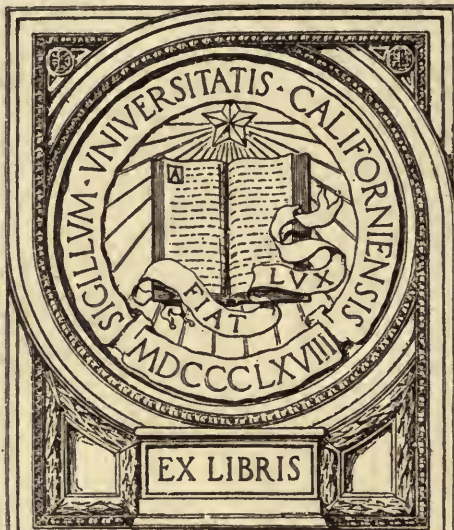


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AMENDED

BALLOT LAW

AN ACT

To Regulate the Nomination and Election of Public
Officers, requiring certain expenses incident
thereto to be paid by the several
counties, and punishing certain offenses in
regard to such elections.

APPROVED—JUNE 10, 1893,

As amended by the Act of June 26, 1895, the Act of June 22, 1897, the Act of July 9,
1897, the Act of April 16, 1903, the Act of April 21, 1903,
and the Act of April 29, 1903.

WM. STANLEY RAY,
STATE PRINTER OF PENNSYLVANIA.
1903.

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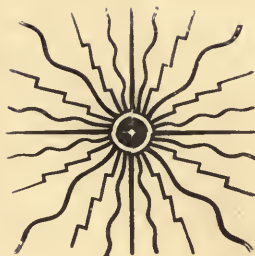
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TO VINU
AUSPOTIAO

Amended Ballot Law.

AN ACT

To regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections.

Section 1. Be it enacted, &c., That all ballots cast in elections for public officers within this Commonwealth shall be printed and distributed at public expense as hereinafter provided. The printing of the ballots and of the cards of instruction for the elections in each county, and the delivery of the same to the election officers as hereinafter provided, and all other expenses incurred under the provisions of this act shall be a county charge, unless herein otherwise provided, the payment of which shall be provided for in the same manner as the payment of other election expenses. It shall be the duty of the Secretary of the Commonwealth to prepare forms for all the blanks made necessary or advisable by this act, and to furnish copies of the same to the county commissioners of each county, who shall procure further copies of the same at the cost of the county and furnish them to the election officers or other persons by whom they are to be used, in such quantities as may be necessary to carry out the provisions of this act.

Ballots to be printed and distributed at public expense.

Shall be a county charge, unless otherwise provided. To be paid for as other election expenses.

Secretary of the Commonwealth to prepare forms for all blanks and furnish copies of same to county commissioners. County commissioners to procure further copies at cost of county and furnish them to election officers.

Section 2. Any convention of delegates, or primary meeting of electors, or caucus held under the rules of a political party, or any board authorized to certify nominations representing a political party which, at the election next preceding, polled at least two per centum of the largest entire vote for any office cast in the State, or in the electoral district or division thereof for which such primary meeting, caucus, convention, or board, desires to make or certify nominations, may nominate one candidate for each office which is to be filled in the State, or in the said district or division, at the next ensuing election by causing a Certificate of Nomination to be drawn up and filed as hereinafter provided. Every such Certificate of Nomination shall be signed by the presiding officer and the secretary or secretaries of the convention, or primary meeting, or caucus, or board, who shall add thereto their places of residence, and shall be sworn or affirmed to by them before an officer qualified to administer oaths, to be true to the best of their knowledge and belief, and a certificate of the oath shall be annexed to the Certificate of nomination: Provided, That if any political party has by its rules provided for a registration of candidates for nominations, and at the time limited for such registration, or at any subsequent time, by

Convention, primary meeting, caucus or board authorized to certify nominations of party polling two per centum of entire vote may nominate.

Certificate of nomination to be drawn up.

How signed.

Shall be sworn to.

Provido.

If no more candidates are registered than are to be elected.

They shall be the nominees.

Form of certificate.

Nomination by nomination papers.

Blanks shall be furnished by Secretary of the Commonwealth.

Number of voters who must sign for State officers.

Number of voters as to other officers.

Elector signing must add residence and occupation, and sign only one paper.

Signature and qualifications to be vouched for by affidavit.

Five electors may, by affidavit filed with the prothonotary, adopt a certain political appellation.

Subject to this act.

And have exclusive right thereto.

Proviso.

reason of withdrawal or other cause there shall be no more candidates for any office registered or remaining than are to be elected to such office, the person or persons so registered or remaining shall be deemed the nominee or nominees, with the same effect as if he or they had been nominated by a convention or primary meeting, or caucus or board. And one or more or all of the officers of the committee of such political party with which such registration shall be made, or the officer with whom it is made, shall make a certificate of such nomination in the same manner and with the same effect as if there had been a nomination by a convention or primary meeting or caucus or board.

Section 3. Nominations of candidates for any public office may also be made by Nomination Papers, signed by qualified electors of the State, or of the electoral district or division thereof for which the nomination is made, and filed in the proper office as provided in section five of this act. Blank forms for making such nomination shall be furnished by the Secretary of the Commonwealth, and no other form than the ones so prescribed shall be used for such purpose. Where the nomination is for any office to be filled by the voters of the State-at-large, the number of qualified electors of the State signing such Nomination Paper, shall be at least one-half of one per centum of the largest vote for any officer elected in the State at the last preceding election at which a State officer was voted for. In the case of all other nominations the number of qualified electors of the electoral district or division, signing such Nomination Paper, shall be at least two per centum of the largest entire vote for any officer elected at the last preceding election in the said electoral district or division for which said Nomination Papers are designed to be made. Each elector signing a Nomination Paper shall add to his signature his place of residence and occupation, and no person may subscribe to more than one nomination for each office to be filled. The signatures to each Nomination Paper and the qualification of the signers shall be vouched for by the affidavit of at least five of the signers thereof, which affidavit shall accompany the nomination paper: Provided, That if five of the electors composing any political body making a nomination by Nomination Papers shall file with the prothonotary of the county in which the Nomination Paper or papers are to be filed an affidavit setting forth that they have adopted a certain political appellation to designate their policy, subject to the limitations of this act regarding the selection of names, that hereafter such political body shall have the exclusive right to use the said name or appellation for the election for which such nomination or nominations are made, provided that a certificate from the prothonotary setting

forth such a compliance with the act be filed with the Nomination Papers filed by such political body.

Section 4. All Certificates of Nomination and Nomination Papers shall specify: One (1). The party or policy which such candidate represents, expressed in not more than three words; in the case of electors of President and Vice President of the United States, the names of the candidates for President and Vice President shall be added to the party or political appellation. Two (2). The name of each candidate nominated therein, his profession, business or occupation, if any, and his place of residence, with street and number thereon, if any. Three (3). The office for which such candidate is nominated: Provided, That no words shall be used in any Nomination Papers to describe or designate the party or policy, or political appellation, represented by the candidate named in such Nomination Papers as aforesaid, identical with the words used for the like purpose in Certificates of Nominations made by a convention of delegates, or primary meeting of electors, or caucus held under the rules of a political party, or any board authorized to certify nominations, representing a political party which, at the last preceding election, polled two per centum of the largest vote cast: And provided further, That any objections filed to a nomination certificate or paper on account of the party or political appellation used therein, or involving the right as defined by sections two and three of this act, to file such certificate or paper, shall be decided by the court of common pleas on hearing as hereinafter provided.

Section 5. Certificates of nomination for candidates for the offices of presidential electors and members of the House of Representatives of the United States and for State offices, including those of Judges, Senators and Representatives, shall be filed with the Secretary of the Commonwealth at least forty-two days before the day of election for which the candidates are nominated, and Nomination Papers for candidates for the said offices shall be filed with the said Secretary at least thirty-five days before the day of such election. Certificates of Nomination and Nomination Papers for candidates for all other offices, except township and borough offices, shall be filed with the county commissioners of the respective counties at least twenty-eight and twenty-one days respectively, before the day of the election. Certificates of Nomination and Nomination Papers for candidates for township and borough offices, and election officers and school directors in the same, shall be filed with the county commissioners at least eighteen and fifteen days, respectively, before the day of election. In determining or reckoning any period of time mentioned in this act, the day upon

What nomination certificates and papers must certify, party or policy.

Name, etc., of candidate.

Office.

What words shall not be used in Nomination Papers.

Objections as to party or political appellation to be decided by the court of common pleas.

Certain certificates shall be filed with the Secretary of the Commonwealth.

Time of filing.

Time of filing nomination papers.

What papers shall be filed with the county commissioners and when.

With township and borough officers and when.

How time is to be reckoned.	which the act is done, paper filed or notice given, shall be excluded from, and the day of election shall be included in, the calculation or reckoning.
Proper officers to examine paper or certificate.	Section 6. It shall be the duty of the officer or officers, to whom any nomination certificate or paper is brought for the purpose of filing, to examine the said certificate or paper, and if it lack sufficient signatures or be otherwise manifestly defective it shall not be filed; but the action of said officer or officers, in refusing to receive a certificate or paper, may be reviewed by the court of common pleas of the county, upon an application for a mandamus to compel its reception as of the date when it was brought to the office. All nominations, certificates and papers which have been filed shall be deemed valid, unless objections thereto are duly made, by writing filed in the court of common pleas of the county in which the certificate or paper objected to has been filed, and with the officer or officers with whom such certificates have been filed, and within the following periods:
Mandamus.	First: In the case of certificates and papers filed with the Secretary of the Commonwealth, at least thirty-five days before the day of election, in the case of certificates of nomination, and at least twenty-eight days before the day of election, in the case of nomination papers.
How objections shall be made.	Second. In case of other certificates and papers, except those designed for borough and township officers, at least eighteen days before the day of election.
When filed with Secretary of the Commonwealth.	Third. In the case of other certificates and papers, designed for borough and township officers, at least twelve days before the day of election. In case the court is in session, one or more judges thereof shall proceed to hear such objections, without unnecessary adjournment or delay, and shall give such hearing precedence over all other business before him or them. With respect to certificates and papers filed with the Secretary of the Commonwealth, such objection shall be heard, and finally determined, at least sixteen days before the day of election. In case the court is not in session, any judge thereof, on the presentation to him of the certificate of the prothonotary that such objections have been filed, as aforesaid, shall proceed to hear such objections as aforesaid. No objection, of any nature whatever, shall be filed unless accompanied by proper proof of service of notice of the proposed objection upon at least one of the candidates named in the certificate or paper objected to, nor shall any objections be heard in the absence of any of the said candidates without proof of service or notice of the hearing upon them. If the court decide that the certificate or paper objected to was not filed by parties entitled, under this act, to file the same, it shall be
Others than those for boroughs and townships.	
For boroughs and townships.	
Hearing when the court is in session.	
Time when court shall determine.	
When the court is not in session.	
Service of notice.	
Court to decide as to validity.	

wholly void; but if it be adjudged defective only, the court shall indicate the matters as to which it requires amendment, and the time within which such amendment must be made; and every certificate or paper, amended after the time when the names therein contained to have been sent to the sheriff, shall be subject to the provisions of this act concerning substituted nominations. In case the objections filed to any nomination, are not sustained by the court, the petitioner or petitioners shall be liable for and shall pay the whole of the costs of such proceedings, including all witness fees. The officers with whom nomination certificates and papers have been filed shall permit the political parties, or bodies, who have filed them, to amend them of their own motion, at any time prior to the printing of the ballot.

In case objections are not sustained, the petitioner shall pay the costs.

Witness fees.

Section 7. Any person whose name has been presented as a candidate may cause his name to be withdrawn from nomination, by request in writing signed by him and acknowledged before an officer qualified to take acknowledgments of deeds, and filed in the office where his nomination certificate or paper is on file fifteen days, or in the case of township and borough elections, twelve days, previous to the day of the election; and no name so withdrawn shall be printed upon the ballots.

How candidate may withdraw.

Where any office not in court of record shall for any cause become vacant after the time for making nominations for such office shall have elapsed, or when a writ for a special election to supply a vacancy shall direct such election to be held at a date which would prevent the making of nominations in time to comply with section five of this act, nominations for the office to be filled may still be made in accordance with sections two and three of this act, but in other respects the provisions of section twelve of this act shall apply to such nominations.

As to filling certain vacancies, occurring after time for making nominations.

Section 8. All Certificates of Nomination and Nomination Papers when filed shall be open under proper regulations to public inspection, and shall be preserved not less than two years in the offices where they have been filed.

Certificates and papers to be open for public inspection and preserved for two years.

Section 9. The Secretary of the Commonwealth shall, fourteen days at least previous to the day of any election of United States or State officers, or for the adoption of amendments to the Constitution of this Commonwealth, transmit to the county commissioners and the sheriff in each county, in which such election is to be held, duplicate official lists, stating the names and residences of, and parties or policies represented by, all candidates whose nomination certificates or papers have been filed with him as herein provided for such election, and have not been found and

Secretary of the Commonwealth shall transmit lists to county commissioners and sheriffs.

Contents.

declared to be invalid as provided in section six, and to be voted for at each voting place in each county, respectively, substantially in the form of the ballots to be used therein; duplicate copies of the text of all proposed constitutional amendments to be voted upon at such election. The county commissioners of each county shall also send to the sheriff of their county, at least ten days prior to the day of any general election, an official list, containing the names and party or political appellations of all candidates whose nomination certificates or papers have been filed with the said commissioners, as herein provided for such election, and to be voted for at each voting place in the county, substantially in the form of the ballots to be used therein.

In form of the ballots.

County commissioners shall send list to sheriff.

Sheriff shall give notice of general election by advertisement in three newspapers.

Newspapers in which advertisement must appear.

Additional notice by proclamation in cities.

Enumerate the officers to be elected.

Place of election.

Who shall be eligible as election officers.

Section 10. It shall be the duty of the sheriff of every county, at least ten days before any general election to be held therein, except borough and township elections, to give notice of the same by advertisements in at least three newspapers, if there be so many published in the county, two of said newspapers representing so far as practicable the political party which at the preceding November election cast the largest number of votes, and the other one of said newspapers representing so far as practicable the political party which at the preceding November election cast the next largest number of votes, and in addition thereto the sheriff of every county shall, at least ten days before any general election to be held in cities of the first, second and third classes, give notice of the same by proclamation posted up in the most conspicuous places in every election district in said cities of the first, second and third class and in every such advertisement or proclamation.

I. Enumerate the officers to be elected and give a list of all the nominations made as provided in this act and to be voted for in such county, and the full text of all constitutional amendments submitted to a vote of the people, but the proclamation posted in each election district need not contain the names of any candidates but those to be voted for in such district.

II. Designate the place at which the election is to be held.

III. He shall give notice that every person, excepting justices of the peace, who shall hold any office or appointment of profit or trust under the government of the United States, or of this State, or of any city or incorporated district, whether a commissioned officer or otherwise, a subordinate officer or agent who is or shall be employed under the Legislative, Executive or Judiciary Department of this State, or of the United States, or of any city or incorporated district,

and also that every member of Congress and of the State Legislature, and of the select or common council of any city, or commissioners of any incorporated district is, by law, incapable of holding or exercising at the same time the office or appointment of judge, inspector or clerk of any election of this Commonwealth, and that no inspector, judge or other officer of any such election shall be eligible to any office to be then voted for except that of an election officer.

Section 11. In case of the death or withdrawal of any candidate nominated as herein provided, the party convention, primary meeting, caucus, or board, or the citizens who nominated such candidate, may nominate a substitute in his place, by filing in the proper office at any time before the day of election, a nomination certificate or paper which shall conform to all the requirements of this act in regard to original certificates or papers: Provided, That if the said convention or citizens shall have authorized any committee, or if any executive committee of any political party be authorized by the rules of said party, to make nominations in the event of the death or withdrawal of candidates, the said convention shall not be required to reconvene nor the said citizens to sign a new Nomination Paper, but the said committee shall have power to file the requisite nomination certificate or paper, which shall recite the facts of the appointment and powers of the said committee (naming all its members), of the death, or withdrawal of the candidate, and of the action of the committee thereon, and the truth of these facts shall be verified by the affidavit annexed to the certificate, or paper of two members of the committee, and also of at least two of the officers of the convention who made affidavit in support of the original certificate, or two of the citizens who made affidavit to the original paper: And provided also, That in case of a substituted Nomination Paper not filed by a committee, but signed by citizens, it shall only be necessary that two-thirds of the signers of the said paper shall have been signers of the original paper.

How vacancy shall be filled.

Section 12. All substituted nomination certificates or papers may be objected to as provided in section six of this act, and if a substituted certificate or paper be filed after the last day for filing the original certificate or paper, objections must be made within four days after the filing, and no objections as to form and conformity to law shall be received after the time set for printing the ballots.

Substituted nomination papers and certificates and objections thereto.

As soon as any substituted candidate shall have been duly nominated, his name shall be substituted by the proper officers in the place of that of the candidate who has died or withdrawn so far as time may allow,

Substitution of candidate.

If made after ballots have been printed, slips shall be prepared.

and in case a substituted nomination be filed with or transmitted to the county commissioners after the ballots have been printed, the said commissioners shall prepare and distribute with the ballots suitable slips of paper bearing the substituted name, together with the title of the office, and having adhesive paste upon the reverse side, which shall be offered to each voter with the regular ballot and may be affixed thereto.

County commissioners to cause all ballots to be printed.

Commissioners shall be responsible for accurate printing and safe keeping.

Section 13. The county commissioners of each county shall cause all the ballots to be used therein to be printed. The said commissioners shall ascertain the offices to be filled and shall be responsible for the accurate printing of the ballots in accordance with this act, and for the safe keeping of the same while in their possession, or that of their subordinates or agents.

Candidates for Presidential electors, arrangement of names on ballot.

Section 14. When Presidential electors are to be voted for, the names of candidates for Presidential electors shall be arranged in party groups, as presented in the several certificates of party nomination and nomination papers, and the groups shall be printed upon the ballot in order of the vote obtained in the State, at the last Presidential election, by the parties nominating, beginning with the party which obtained the highest vote: Provided, That in the case of political parties not represented on the ballot in the last Presidential election, the order of arrangement shall be alphabetically.

Party name.

At the head of each group of candidates shall be printed the appropriate party name or political appellation, together with the surnames of the candidates of such party for President and Vice President, underneath which shall be printed the names of the appropriate candidates for Presidential electors.

Squares, size and position of.

At the right of the space containing the surnames of the candidates for President and Vice President, and their party name or political appellation, there shall be a square, of sufficient size for the convenient insertion of a cross-mark (X), and at the right of the name of each candidate for Presidential elector, there shall be a similar, but smaller square.

Names of candidates, how to be arranged.

The names of candidates for all other offices, shall, in all cases, be arranged under the title of the office for which they are candidates, and be printed in the order of the votes obtained for the head of the respective tickets of the parties or bodies nominating at the last Presidential election, beginning with the party obtaining the highest vote: Provided, That in the case of parties not represented on the ballot at the last Presidential election, the name of the nominees of such parties shall be arranged alphabetically, according to the party name or political appellation. At the right of the name of each nominee, or candi-

Proviso.

Party not represented at last preceding State election.

date, shall be printed the name or appellation of the political party representing or nominating him, and at the right of such party name, or political appellation, there shall be a square of sufficient size for the convenient insertion of a cross-mark.

Whenever any candidate shall receive more than one nomination for the same office, his name shall be printed once, and the names of each political party, so nominating him, shall be printed to the right of the name of such candidate, arranged in the same order as candidates names are grouped, that is to say, in the order of the votes obtained by such party at the last preceding Presidential election, beginning with the party obtaining the highest vote. If such candidate shall be nominated by any political party not represented on the ballot in the last Presidential election, the name of such parties shall follow the other names, and be arranged alphabetically, according to the party name or appellation. At the right of every party name, or political appellation, shall be a square, of sufficient size for the convenient insertion of a cross-mark.

There shall be left, at the end of the groups of candidates for Presidential electors, and of the list of candidates for each different office (or under the title of the office itself for which an election is to be held, in case there be no candidates legally nominated therefor), as many blank spaces as there are persons to be voted for, for such office, in which space the voter may insert the name of any person whose name is not printed on the ballot as a candidate for such office, and such insertion shall count as a vote, without the cross-mark as hereinafter mentioned.

Whenever the approval of a constitutional amendment, or other question, is submitted to the vote of the people, such question shall be printed upon the ballot in brief form, and followed by the words "yes" and "no," and if such question be submitted at an election of public officers, it shall be printed after the list of candidates.

The ballots shall be so printed as to give to each voter a clear opportunity to designate his choice of candidates by a cross-mark (X), in a square of sufficient size, at the right of the name of each candidate, and inside the line enclosing the column, and, in like manner, answers to questions submitted, by similar marks, in squares at the right of the words "yes" and "no." And on the ballot may be printed instructions how to mark, and such words as will aid the voter to do this, as "mark one," "mark two," and the like.

Provided, That a voter may designate his choice of an entire group of candidates for Presidential electors by one cross-mark (X), in a large square, which shall be placed at the right of the names of the candidates

Name of party.

Position of square.

When candidate receives more than one nomination.

Position of party names.

When nominated by party not represented on previous ballot.

Square.

Blank spaces, number of, etc.

When vote is to be taken on constitutional amendment, etc.

Designation of choice by cross-mark.

Position of square.

Instructions on ballot.

Proviso.

Cross-mark may designate group of candidates.

for President and Vice President, at the head of such group, and such mark shall be equivalent to a mark against every name in the group.

Provided further, That each voter may have the opportunity of designating his choice for all the candidates, as nominated by one political party, there shall be printed on the extreme left of the ballot, and separated from the rest of the ballot by a space of at least one-half inch, a list of the names of all the political parties or groups of nominees, represented on such ballot and presenting candidates to be voted for at such election. Such names shall be arranged in the order of the votes obtained, at the last Presidential election, by the candidate at the head of the respective tickets of the parties or bodies nominating, beginning with the party that received the highest vote cast. Following the names of such political parties, shall be the names of the parties or principles not presented on the ballot at the last Presidential election, arranged alphabetically, according to the party name or political appellation. A square, of sufficient size for the convenient insertion of a cross-mark, shall be placed at the right of each party name or appellation. Every mark within such square shall be equivalent to a mark against every name designated by that political appellation, or party name, including candidates nominated by more than one party, or group of citizens.

At the head of every ballot shall be printed the following instructions:

To vote a straight party ticket, mark a cross (X) in the square opposite the name of the party of your choice, in the first column. A cross-mark in the square opposite the name of any candidate, indicates a vote for that candidate.

Section 15. All the ballots used at the same voting place at any election shall be alike, and shall be at least six inches long and four inches wide. They shall be printed with the same kind or kinds of type, (which shall not be smaller than the size known as "brevier" or "eight-point body,") upon white paper without any impression or mark to distinguish one from another, and of sufficient thickness to prevent the printed matter from showing through. Each ballot shall be attached to a stub or counterfoil, and all the ballots for the same voting place shall be bound together in convenient numbers in books in such manner that each ballot may be detached and removed separately.

A diagonal folding line shall be printed on the right hand upper corner of the back of each ballot, and the said corner shall be edged with adhesive paste so that the corner when folded at the folding line can be securely fastened down over the number now required

by the Constitution of this Commonwealth, so that the said number cannot be seen without unfastening or cutting open the part so fastened down. The top of each ballot shall have a margin of equal size on both back and face, and the said folding line shall be upon this margin, and the space between the folding line and the paste shall be filled in with solid printing, and nothing else shall be printed on the margin except instructions how to mark: Provided, That if at any time the said Constitution shall cease to require ballots to be numbered, the foregoing requirements as to the folding line, the margin and the adhesive paste shall be void.

On the back of each ballot, or on the right hand side of the back if the ballot is printed in two columns, there shall be printed as a caption, "official ballot," followed by the designation of the voting place for which the ballot is prepared, the date of the election and a fac-simile of the signatures of the county commissioners of the respective counties who have caused the ballots to be printed. A record of the number of ballots printed and furnished to each voting place, shall be kept and preserved by the county commissioners of the several counties. When it is shown by affidavit that mistake or omission has occurred in the publication of names or description of candidates, or in the printing of the ballots, the court of common pleas of the district or county, or any judge thereof, may, upon the application of any qualified elector of the district or county, require the county commissioners to correct the mistake or omission, or to show cause why they should not.

Section 16. The county commissioners of each county shall provide for each election district in which an election is to be held, one set of such ballots of not less than seventy-five for every fifty and fraction of fifty voters therein, as contained upon the assessors list. They shall also prepare full instructions for the guidance of voters, as to obtaining ballots, as to the manner of marking them and the method of gaining assistance, and as to obtaining new ballots in place of those accidentally spoiled; and they shall respectively cause the same, together with copies of sections thirty to thirty-five inclusive of this act, to be printed in large clear type on separate cards to be called Cards of Instruction. They shall also, in addition to the number of tickets required to be printed for general distribution, have printed five hundred official and one hundred sample ballots for every five thousand voters within the county, which tickets shall be kept at the office of the commissioners for the use of any district or districts, the tickets for which may be lost or destroyed. They shall also cause to be printed on

Corner shall be fastened down over number.

Margin.

Proviso.

Caption on back of ballot.

Fac-simile of signatures of county commissioners.

Record of number of ballots printed shall be kept.

How mistakes in publication of names shall be corrected.

Number of ballots for each election district.

To be provided by county commissioners.

Shall prepare instructions for guidance of voters.

How cards of instruction shall be printed.

Official and sample ballots.

Certain ballots to be kept at office of county commissioners.

Specimen ballots.	tinted paper and without the fac-simile endorsements, copies of the form of the ballot provided for each voting place at each election therein, which shall be called Specimen Ballots, and at each election they shall furnish to each voting place, together with the ballots to be used there, a sufficient number of cards of instruction and specimen ballots for use as required in section twenty-one of this act. They shall also provide for each election district at every election therein, two copies of the assessor's lists of voters, and shall deliver the same as such lists are now delivered, one copy to be called the "ballot check list," for the inspectors in charge of the ballots, and the other copy to be called the "voting check list," to be used in marking the name of those who have voted and the number of their ballots as now required by law.
Cards of instruction and specimen ballots shall be furnished.	
Shall also provide two copies of the assessor's list of voters.	
Ballot check list.	
Voting check list.	
How ballots, etc., shall be packed for delivery.	Section 17. The ballots, together with the specimen ballots and cards of instruction printed by the county commissioners as herein provided, shall be packed by them in separate sealed packages with marks on the outside clearly designating the election districts for which they are intended, and the number of ballots of each kind enclosed.
How delivered to judges of election.	They shall then be sent by the county commissioners of the respective counties to the judges of election at the several voting places so as to be received by them on the Saturday or Monday before the day of election. The respective judges of election shall on delivery to them of such packages, return receipts therefor to the commissioners, who shall keep a record of the time when and the manner in which the several packages are sent, and shall preserve for the period of one year, the receipts of the said judges of election.
Time of reception.	
Judges shall return receipt therefor.	
Commissioners to keep record of time and manner of sending ballots, etc.	
May notify judges of election to call for ballots.	The commissioners of any county may, if they prefer, instead of sending the packages to the judges or any number of them in the manner aforesaid, notify the judges of the election districts for which the said commissioners are required to provide ballots, to come to the said commissioners' office on the day before the election, at a time specified, and it shall be the duty of each of the said judges to come to the said office at that time, and there on presentation of his certificate of election as judge, to receive and receipt for one package of ballots, specimen ballots and cards of instruction, for use in his election district. He shall keep the said package sealed and shall be responsible for the safe keeping thereof until the ballots are used at the election. In case a judge of the elections is prevented by illness from performing the duties aforesaid, he shall depute one of the inspectors to act in his place.
When to call.	
Duties of judges of election, etc.	
When Inspector to perform said duties.	Section 18. In case the ballots to be furnished to any voting place in accordance with the provisions of this act shall fail for any reason to be duly delivered,

or in case after delivery they shall be destroyed or stolen, it shall be the duty of the judge of election of such voting place to cause other ballots to be prepared substantially in the form of the ballots so wanting, and upon receipt of such other ballots from him accompanied by a statement under oath that the same have been so prepared and furnished by him, and that the original ballots have so failed to be received, or have been so destroyed or stolen, the election officers shall cause the ballots so substituted to be used in lieu of the ballots wanting as above. It shall be the duty of the county commissioners of each county to mail complete specimens of the ballots and other necessary papers by registered letter to the judge of elections of each election district, at least four days before the election, to enable him to comply with the directions of this section.

Section 19. The county commissioners of each county shall provide for each election district therein, at each election, a room large enough to be fitted up with voting shelves and a guard rail as hereinafter provided. If in any district no such room can be rented or otherwise obtained, the said commissioners shall cause to be constructed for such district a temporary room of adequate size to be used as a voting room. They shall also cause all the said rooms to be suitably provided with heat and light, and with a sufficient number of voting shelves or compartments, at or in which voters may conveniently mark their ballots, with a curtain, screen or door at the upper part of the front of each compartment, so that in the marking thereof they may be screened from the observation of others, and a guard rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot box and of such voting shelves or compartments. The arrangement shall be such that neither the ballot box nor the voting booths shall be hidden from view of those just outside the said guard rail. The number of such voting shelves or compartments shall not be less than one for every seventy-five names on the assessor's lists; but shall not in any case be less than three for the voters qualified to vote at such voting place. No persons other than the election officers and voters admitted as hereinafter provided, shall be permitted within the said rail, except by authority of the election officers for the purpose of keeping order and enforcing the law. Each voting shelf or compartment shall be kept provided with proper supplies and conveniences for marking the ballots.

Section 20. At the opening of the polls in each voting place the seals of the packages shall be publicly broken and the said package shall be opened by the

If ballots are not delivered or are lost or stolen.

How same shall be replaced.

County commissioners shall mail specimen ballots, by registered letter four days before election.

County commissioners shall provide election room properly fitted up.

If no room can be procured they shall construct temporary room.

Shall provide heat and light and sufficient number of voting shelves.

Compartment to have curtain, screen or door.

Construction of guard rail.

Fixing distance persons inside rail may approach ballot box and shelves.

Arrangement of ballot box and voting booths.

Number of voting booths.

Persons permitted within rail.

Supplies for marking ballots.

Duty of judge of election on opening of the polls.

Cards of instruction to be posted at or in compartment.

Cards of instruction and specimen ballots to be posted at or in compartment.

Cards of instruction and specimen ballots to be posted outside guard rail and given to voters on request.

Manner of voting.

No person shall be admitted within guard-rail until he has established his right to vote.

How ballot shall be delivered to voter.

Only one ballot shall be given to a voter, unless he inadvertently spoils a ballot.

How ballot check list shall be marked.

Who may be admitted within rail.

Preparation of ballot.

An (X) marked in square opposite name of party, votes a straight ticket.

To vote for Presidential electors.

judge of elections. The cards of instruction shall be immediately posted at or in each voting shelf or compartment provided in accordance with this act for the marking of the ballots, and not less than three such cards and not less than five specimen ballots shall be immediately posted in or about the voting room outside the guard rail; and such cards and specimen ballots shall be given to any voter at his request.

Section 21. Any person desiring to vote shall give his name and residence to one of the election officers in charge of the ballots, who shall thereupon announce the same in a loud and distinct tone of voice, and if such name is found upon the ballot check list by the inspector or clerks in charge thereof, he shall likewise repeat the said name, and the voter shall be allowed to enter the space enclosed by the guard-rail, unless his right to vote be challenged. No person whose name is not on the said list or whose right to vote shall be challenged by a qualified citizen, shall be admitted within said guard-rail until he has established his right to vote in the manner now provided by law, and his name, if not on the check lists, shall then be added to both lists. As soon as a voter is admitted within the rail the election officer having charge of the ballots shall detach a ballot from the stub and give it to the said voter, but shall first fold it so that the words printed on the back and outside, as provided in section fifteen of this act, shall be the only wording visible and no ballot shall be voted unless folded in the same manner. Not more than one ballot shall be given to a voter except as is provided in section twenty-five of this act. As soon as a voter receives a ballot the letter "B" shall be marked against his name on the margin of the ballot check-list; but no record of the number of the ballots shall be made on the said lists. Besides the election officers and such supervisors as are authorized by the laws of the United States or overseers appointed by the courts of this Commonwealth, not more than four voters in excess of the number of voting shelves or compartments provided, shall be allowed in said enclosed space at one time.

Section 22. On receipt of his ballot, the voter shall forthwith, and without leaving the space enclosed by the guard-rail, retire to one of the voting shelves or compartments, and draw a curtain, or shut the screen or door, and shall then prepare his ballot as follows:

If he desires to vote for every candidate of a political party, he may make a cross-mark in the appropriate square, opposite the name of the party of his choice, in the straight party column on the left of the ballot, and every such cross-mark shall be equivalent to a vote for every candidate for the party so marked.

If he desires to vote for an entire group of Presi-

dential electors, he may place a cross-mark in the appropriate square, at the right of the name of the party of his choice. If he desires to divide his vote among candidates from different groups of Presidential electors, he shall make a cross-mark in the appropriate square, to the right of the name of each candidate for Presidential elector for whom he desires to vote: Provided, That a mark in the straight party column, opposite the name of the party of his choice, shall also be counted as a mark for each Presidential elector nominated by such party.

Proviso.

He may vote, according to the above provisions, for the candidate of his choice for each office to be filled, according to the number of persons to be voted for by him for each office, or he may insert in the blank space provided therefor, in accordance with section fourteen of this act, any name not already on the ballot. And in case of a question submitted to the vote of the people, he may mark in the appropriate margin or space a cross (X), opposite the answer which he desires to give. In all cases where, by existing laws, a voter is entitled to cast more than one vote for a single candidate, he shall place in the appropriate square, instead of a cross (X), a number, which shall indicate the number of votes to be counted for the candidate whose name is so marked.

The voter may insert name not on ballot.

Vote on question submitted.

When entitled to more than one vote.

Before leaving the voting shelf or compartment, the voter shall fold his ballot, without displaying the markings thereon, in the same way it was folded when received by him, and he shall keep the same so folded, and deposit it in the ballot box without undue delay, and shall quit the enclosed space immediately thereafter.

Folding and depositing of ballot.

Section 23. No voter shall be allowed to occupy a voting shelf or compartment already occupied by another, except when giving the help allowed by section twenty-six of this act, nor to remain within said compartment more than three minutes, in case all of such compartments are in use and other voters are waiting to occupy the same. No voter not an election officer shall be allowed to re-enter the enclosed space after he has once left it, except to give help as hereinafter described. Each voter's name shall be checked on the voting check-list, by the officer having charge thereof, as soon as he has cast his vote in the manner provided by law. It shall be the duty of the judge of election to secure the observance of the provision of this section, to keep order in the room in which the voting is held, and to see that no more persons are admitted within the enclosed space than are allowed by this act. Each party which has, by its primary meeting, caucus, convention, or board, sent to the proper office, a certificate of nomination, and each group of

Length of time the voter may remain in booth.

No voter shall re-enter enclosed space.

Checking of name.

Duty of judge of election.

Watchers, by whom appointed.

Eligibility of
watchers.

Certificate.

To be shown when
required.

Electioneering for-
bidden.

Who may vote
after the hour for
closing.

No lists or memo-
randum of voters
shall be made in
voting room, ex-
cept such as are
authorized.

Voter may keep
his own number,
and watchers their
poll books.

Lists of numbered
voters shall be
sealed before bal-
lot boxes are
opened.

Also stubs, un-
used ballots and
ballot check list.

These packages
not to be opened
except in certain
cases.

citizens which has sent to the proper officer a nomination paper, as provided in sections two and three of this act, shall be allowed to appoint three qualified electors, who must be three electors residents of the division in which they are authorized to act as watchers, in each voting place, without expense to the county; one of whom shall be allowed to remain in the room outside of the enclosed space. Each watcher shall be provided with a certificate from the county commissioners, stating his name, the names of the persons who have appointed him, and the party or policy he represents; and no party or policy shall be represented by more than one watcher in the same voting room, at any one time. Watchers shall be required to show their certificates when required to do so. Until the polls are closed, no person shall be allowed in the room outside of the said enclosed space, except the watchers, voters, not exceeding ten at any one time, who are awaiting their turn to prepare their ballots, and peace officers when necessary for the preservation of the peace. No person when within the voting room shall electioneer or solicit votes for any party or candidate, nor shall any written or printed matter be posted up within the said room, except as required by law. When the hour for closing the polls shall arrive, all persons within the enclosed space, who have received ballots but have not yet deposited them, shall be required to mark and deposit their ballots forthwith, but no other person shall be allowed to vote.

Section 24. No list or memorandum of the names of voters, except such lists as are expressly authorized by law, shall be made within the voting room by any person or officer, nor shall any list or memorandum of the numbers marked upon the ballots be made or kept except such lists as are expressly authorized by law: Provided, That any voter may make a memorandum of the number of his own ballot, and the watchers may keep their poll books and challenge lists. After the closing of the polls and before the ballot boxes are opened, all the lists of voters upon which the numbers of the ballots are recorded as now required by law shall be placed in separate sealed covers properly marked, and the stubs of all the ballots used, together with all unused ballots and the ballot check list, shall also be enclosed in a sealed package properly designating the voting place, which package shall be sent to the proper office as required by law in the case of the ballots cast, and neither the said package, nor the said lists of voters shall thereafter be opened except by the return judges, or in the case of a contest, or upon the order of a court of a competent jurisdiction.

Section 25. No person other than the election officers shall take or remove any ballot from the voting place. If any voter inadvertently spoils a ballot he may obtain another upon returning the spoiled one. The ballots thus returned shall be immediately cancelled and at the close of the polls shall be secured in an envelope, sealed and sent to the proper office as required by law in the case of the ballots cast.

No ballots to be removed from voting place.

Spoiled ballots.

Returned ballots shall be canceled.

Section 26. If any voter declares to the judge of election that by reason of any disability he desires assistance in the preparation of his ballot, he shall be permitted by the judge of election to select a qualified voter of the election district to aid him in the preparation of his ballot, such preparation being made in the voting compartment.

How voter may secure assistance in preparation of his ballot.

Section 27. If a voter has marked his ballot otherwise than as directed by this act, so that for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office; but the ballot shall be counted for all other offices for which the names of candidates have been properly marked.

Ballots not to be counted.

Defective ballots may be counted for certain candidates.

No ballot without the official endorsement shall, except as herein otherwise provided, be allowed to be deposited in the ballot-box, and none but ballots provided in accordance with the provisions of this act shall be counted. Ballots not marked, or improperly or defectively marked, shall be endorsed as defective, but shall be preserved with the other ballots. If any ballot appears to have been obtained otherwise than as provided in this act, the judge of election shall transmit such ballot to the district attorney, without delay, together with whatever information he may have tending to the detection of the persons who deposited the same.

None but official ballots shall be deposited.

Defective ballots to be endorsed and preserved.

Ballots obtained illegally, to be sent to district attorney, etc.

Section 28. After the polls are closed, the election officers only shall remain in the voting-room within the guard rail, and shall there at once proceed to count the votes. Such counting shall not be adjourned or postponed until it shall have been fully completed. A record shall first be made of the number of the last ballot cast; the officers in charge of the voting check-list shall, in the presence of the other officers and watchers, count in a distinct and audible voice the names checked on the said list, and announce the whole number thereof; and the list of voters, the stubs of ballots used, and all unused ballots, shall then be sealed up, as required by section twenty-four of this act. The ballot-box shall then be opened by the inspectors, the ballots taken therefrom, and audibly counted, one by one, by them, and when the count is completed, the whole number of ballots cast shall be announced; and the counting of the number

Election officers only to remain within guard-rail after polls are closed.

Counting not to be adjourned.

Duties of election officers.

Unused ballots, etc., to be sealed up.

Ballot-boxes to be opened and votes counted.

Duty of Judge. of votes received by each person voted for shall then proceed. The judge, in the presence of the inspectors shall read aloud the name or names marked or inserted upon each ballot, together with the party name, or political appellation, under which each vote was cast, and the answers marked thereon to the questions submitted, if any; and the clerks shall each carefully enter each vote as read, and keep account of the same in tally-papers prepared for the purpose. It shall be unlawful for either judge or inspector while counting the ballots or the votes thereon, to have in his hand any pen, pencil, or stamp for marking ballots.

Duty of clerks.

Ballots to be kept within view.

All ballots, after being removed from the box, shall be kept within the unobstructed view of those present in the voting-room, so that they may be able to see all the marks on each ballot, but out of their reach, until they are placed in the ballot-box as required by law.

Full returns to be made.

A full return shall be made, in the manner now provided by law, of all votes cast; and such returns, as well as those made by the judges of the courts, shall state in every case the number of votes cast for each candidate by each political party or body of which such candidate is a nominee, as the same shall appear upon the ballots cast. The total vote, as soon as counted, shall be publicly announced.

Public announcement.

Duties of police officers, constables, etc.

It shall be the duty of the police officers, constables, and deputy constables, now required by law to be present at the polls, to remain in the voting-room, but outside of the guard-rail, while the votes are being counted, and preserve order therein. No person, except the said peace officers when necessary for the preservation of the peace, or persons acting by their authority for the same end, shall enter into the space within the guard rail, or communicate with any election officer in any way after the polls are closed, and until the counting of the votes has been completed.

When peace officers may enter within guard-rail.

Contested election.

Section 29. Whenever in any contested election the tribunal trying the case shall decide that the ballots used in one or more election districts were, by reason of the omission, addition, misplacing, mis-spelling or mis-statement of one or more titles of offices, or names of candidates, or parties or policies represented by them, so defective as to the office in contest as to be calculated to mislead the voters in regard to any of the candidates nominated for the said office, and that the defective condition of the said ballots may have effected the result of the entire election for the said office, the said tribunal shall declare the election to be invalid as regards the said office, and shall report their decision to the Governor of the Commonwealth.

When ballots are defective tribunal shall declare election invalid and so report to Governor.

Governor shall issue writ for new election.

The Governor on receiving the report of the said decision, shall without delay cause a writ or writs of

election for the office in contest to issue, and appoint a day within four weeks from the date of the writ for the holding of a new election, to be held according to the provisions of this act for the office in contest.

Section 30. A voter who shall allow his ballot to be seen by any person, with the apparent intention of letting it be known how he is about to vote, or shall cast or attempt to cast any other than the official ballot which has been given him by the proper election officer or shall falsely declare to a judge of election that, by reason of any disability, he is unable to mark his ballot, and on that account desires assistance in marking it, or shall wilfully violate any other provision of this act; or any person who shall interfere with any voter when inside said enclosed space or when marking his ballot, or who shall endeavor to induce any voter before depositing his ballot to show how he marks or has marked his ballot; or any helper who shall attempt to influence the vote of the voter whom he is assisting, or who shall mark a ballot in any other way than that requested by the voter whom he is assisting, or who shall disclose to any one the contents of any ballot which has been marked with his help, except when required so to do in any legal proceedings; shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars, or to undergo imprisonment for not more than three months, or both, at the discretion of the court.

Certain acts of voter, interfering person, or helper, made misdemeanors.

Fine and penalty.

Section 31. Any person who shall, prior to an election, wilfully deface or destroy any list of candidates posted in accordance with the provisions of this act, or who, during an election, shall wilfully deface, tear down, remove or destroy any card of instruction, or specimen ballot, printed or posted for the instruction of voters, or who shall, during an election, wilfully remove or destroy any of the supplies or conveniences furnished to enable a voter to prepare his ballot, or shall wilfully hinder the voting of others, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars, or to undergo an imprisonment for not more than three months, or both, at the discretion of the court.

Persons destroying lists of candidates or cards of instructions, etc., shall be guilty of a misdemeanor.

Penalty.

Section 32. Any person who shall falsely make or wilfully deface or destroy any Certificate of Nomination, or Nomination Paper, or any part thereof, or any letter of withdrawal, or file any Certificate of Nomination, or Nomination Paper, or letter of withdrawal, knowing the same or any part thereof to be falsely made, or suppress any Certificate of Nomination, or Nomination Paper, or any part thereof which has been duly filed, or forge, or falsely made the official endorsement on any ballot, or wilfully destroy or deface any

Persons destroying nomination papers, etc., shall be guilty of a misdemeanor.

Fraudulent certificates and papers.

Penalty.

ballot, or wilfully delay the delivery of any ballots, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for not more than one year, or both, at the discretion of the court.

Public officers neglecting to perform their duties shall be guilty of a misdemeanor.

Section 33. Any public officer upon whom a duty is imposed by this act, who shall negligently or wilfully fail to perform such duty, or who shall negligently or wilfully perform it in such a way as to hinder the objects of this act, or who shall negligently or wilfully violate any of the provisions thereof, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for not more than one year, or both, at the discretion of the court.

Penalty.

Printers violating this act in preparation of ballots, etc., shall be guilty of a misdemeanor.

Section 34. Any printer employed by the commissioners of any county to print any official ballots, or any person engaged in printing the same, who shall appropriate to himself, or give or deliver or knowingly permit to be taken any of said ballots by any other person than such commissioners, or their duly authorized agent, or shall wilfully print, or cause to be printed any official ballot in any other form than that prescribed by such commissioners, or with any other names thereon, or with the names spelled otherwise than as directed by them, or the names or printing thereon arranged in any other way than that authorized and directed by this act, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for not more than five years, or both, at the discretion of the court.

Penalty.

Possession of ballots by persons not entitled thereto declared to be a misdemeanor.

Section 35. Any person other than an officer charged by law with the care of ballots, or a person entrusted by any such officer with the care of the same for a purpose required by law, who shall have in his possession outside the voting room any official ballot, or any person who shall make or have in possession any counterfeit or an official ballot, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for not more than one year, or both, at the discretion of the court.

Penalty.

Repealing clause.

Section 36. All laws and parts of laws inconsistent herewith, shall be and the same are hereby repealed.

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